

NOV 30 2004

FILED

BEFORE THE DEPARTMENT OF INSURANCE
STATE OF NEBRASKA

STATE OF NEBRASKA)
DEPARTMENT OF INSURANCE,)
)
PETITIONER,)
)
VS.)
)
CAROLYNN JO KEY-SUHR,)
)
RESPONDENT.)

CONSENT ORDER

CAUSE NO. A-1594

In order to resolve this matter, the Nebraska Department of Insurance ("Department"), by and through its attorney, Janette L. Adair, and Carolynn Jo Key-Suhr ("Respondent"), mutually stipulate and agree as follows:

JURISDICTION

1. The Department has jurisdiction over the subject matter and Respondent pursuant to Neb. Rev. Stat. §§44-101.01 (Reissue 1998), §44-4047 et seq. (Reissue 1998) and 44-19,106 et seq. (R.S.SUPP., 2003).

2. Respondent was licensed as an insurance agent under the laws of Nebraska at all times material hereto.

STIPULATIONS OF FACT

1. The Department initiated this administrative proceeding by filing a petition styled State of Nebraska Department of Insurance vs. Carolynn Jo. Key-Suhr, Cause Number A-1594 on October 1, 2004. A copy of the petition was served upon the Respondent at the Respondent's address registered with the Department by certified mail, return receipt requested.

2. Respondent violated Neb. Rev. Stat. §§44-19,116(b) (R.S.SUPP., 1999), and Neb. Rev. Stat. §44-4028(11) (R.S.SUPP., 1999) as a result of the following conduct:

On or about December 20, 2000, Chandler-Kennedy Shopping Center LLC issued check number 3445 (hereinafter the "check"), in the amount of \$25,000, to Heartland Title Services pursuant to the terms of a Real Estate Purchase Agreement entered into on or about June 23, 1999 by Jerry and Delores Brust (hereinafter "Seller"), and Papio Gardens, LLC (hereinafter "Buyer"). A receipt from Heartland Title Services, dated "12/20/00," acknowledges receipt of the check, and includes the notations "Hold for Brust Contract revisions," and "Hold do not dep." Under the terms of the Real Estate Purchase Agreement, the check was a "nonrefundable earnest money deposit...to be released to the Seller, at Seller's option, upon receipt by Escrow Agent." In approximately April, 2003, Seller requested release of the funds, and discovered that Respondent was still holding the check, and had never deposited the check in a qualified financial institution.

3. Respondent was informed of her right to a public hearing. Respondent waives that right, and enters into this Consent Order freely and voluntarily. Respondent understands and acknowledges that by waiving his right to a public hearing, Respondent also waives his right to confrontation of witnesses, production of evidence, and judicial review.

4. Respondent denies the allegations stated in Paragraph 2, but does not wish to further contest the matter.

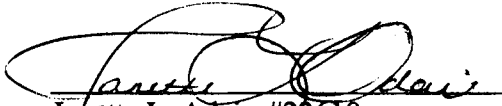
CONCLUSIONS OF LAW

Respondent's conduct as alleged above constitutes a violation of Neb. Rev. Stat. §§44-19,116(b) (R.S.SUPP.,1999), and Neb. Rev. Stat. §44-4028(11) (R.S.SUPP.,1999).

CONSENT ORDER

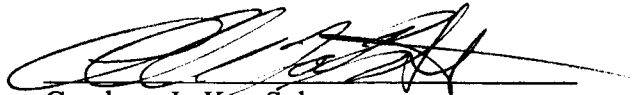
It is therefore ordered by the Director of Insurance and agreed by Respondent, Carolynn Jo. Key-Suhr, that Respondent shall pay an administrative fine in the amount of one thousand five hundred dollars (\$1500.00), due within 30 days after the Director of Insurance or his designee approves and signs this consent order. If Respondent fails to pay the amount required under this consent order, within the time specified, Respondent's Nebraska insurance producers license shall automatically be revoked. In witness of their

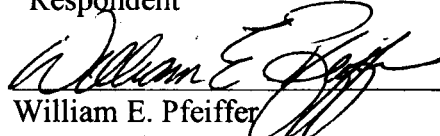
intention to be bound by this Consent Order, each party has executed this document by
subscribing ^{HER} ~~his~~ signature below.


Janette L. Adair, #22618
Attorney for Petitioner

941 "O" Street, Suite 400
Lincoln, NE 68508
(402) 471-2201

Date

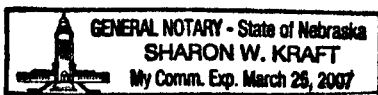

Carolynn Jo Key-Suhr,
Respondent

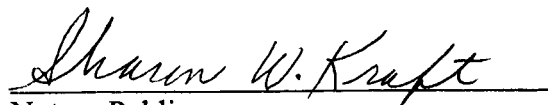

William E. Pfeiffer
Attorney for Respondent

11-23-04
Date

State of Nebraska)
) ss.
County of Douglas)

On this 23rd day of November, 2004, Carolyn Jo Key-Suhr personally
appeared before me and read this Consent Order, executed the same and acknowledged
the same to be his voluntary act and deed.





Notary Public

CERTIFICATE OF ADOPTION

I hereby certify that the foregoing Consent Order is adopted as the Final Order of
the Nebraska Department of Insurance in the matter of State of Nebraska Department of
Insurance vs. Carolyn Jo Key-Suhr, Cause No. A-1594.

STATE OF NEBRASKA
DEPARTMENT OF INSURANCE



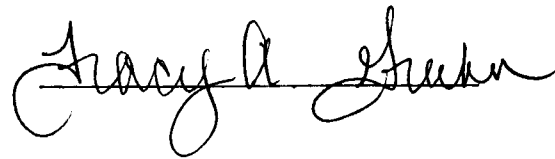
L. TIM WAGNER
Director of Insurance

11/30/04

Date

CERTIFICATE OF SERVICE

I hereby certify that a copy of the executed Consent Order was sent to Respondent's counsel, William Pfeiffer at Raynor, Rensch & Pfeiffer, 10110 Nicholas Street, Suite, 102, Omaha, Nebraska 68114, by certified mail, return receipt requested on this 1st day of December, 2004.



Tracy A. Shuck